

1 John Butler, OSB 01177
2 Armstrong Bankruptcy Law Offices
3 440 East Broadway, Suite 100
Eugene, OR 97401
(541) 683-6652

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6 IN THE UNITED STATES BANKRUPTCY COURT
7 FOR THE DISTRICT OF OREGON

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10 In re: Case No.: 09-61393-fra13

11 Joshua T Sutherlin MOTION TO WITHDRAW AS ATTORNEY
12 Sara R Sutherlin OF RECORD FOR DEBTORS

13

14 Debtors

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16 John Butler and Armstrong Bankruptcy Law Offices, attorneys
17 at law, hereby move the Court to withdraw as attorney of record
18 for debtors in this Chapter 13 case because of ethical
19 considerations set forth in the attached Affidavit of John
20 Butler. Debtors have previously been advised of possibility
21 that conflicts of interest may arise and necessitating my
22 withdrawal of attorney of record on their behalf.

23

24 Debtor, Joshua T. Sutherlin's last known address and telephone
25 number is:

PO Box 894
Halfway, OR 97834
(541) 540-3385

Debtor, Sara R Sutherlin's last known address and telephone
number is:

504 E 2nd St
Cle Elum, WA 98922
(541) 852-1345

DATED this 9th day of February, 2011

ARMSTRONG BANKRUPTCY LAW OFFICES

By /s/John Butler
John Butler, OSB 01177
Withdrawing Attorney for Debtors

1 John Butler, OSB 01177
2 Armstrong Bankruptcy Law Offices
3 440 East Broadway, Suite 100
4 Eugene, OR 97401
5 (541) 683-6652
6 Attorney for Debtors
7

5 UNITED STATE BANKRUPTCY COURT
6 FOR THE DISTRICT OF OREGON

7 In re:

8 Joshua T Sutherlin
9 Sara R Sutherlin

10 Debtors

Case No.: 09-61393-fra13

11 AFFIDAVIT IN SUPPORT OF
12 MOTION TO WITHDRAW AS
13 ATTORNEY FOR DEBTORS

14 COUNTY OF LANE)
15) ss
16 STATE OF OREGON)

17 I, John Butler, being first duly sworn on oath, depose and
18 say:

19 I am the attorney of record for debtors Joshua T Sutherlin
20 and Sara R Sutherlin in their joint Chapter 13 bankruptcy case
21 originally filed March 30, 2009. Debtors were divorced post-
22 petition. Debtor, Sara R Sutherlin, has moved to Cle Elum,
23 Washington, and debtor, Joshua T Sutherlin, resides in Halfway,
24 Oregon. After debtors' divorce, wage orders were filed with
25 each of the debtor's employers requiring each debtor to pay half
of the Chapter 13 plan payment herein. At the time of debtors'
divorce, it appeared that there were no conflicts between the
debtors that would affect my representation of them jointly in
their Chapter 13 case. However, issues have arisen between them
impacting their financial circumstances wherein I have been
informed by debtor, Sara R Sutherlin, that each of the debtors
has retained counsel to litigate child custody and support

1 issues. Furthermore, I have been informed by both debtors that
2 there is some disagreement over who will claim their children as
3 dependants for 2010 and potential issues may arise as to how to
4 handle the earned income portion of debtor's tax refunds that
5 will result from the allocation of those dependents. Therefore,
6 obvious conflicts have now developed between the parties where I
can no longer ethically represent them jointly in this case.

7 I therefore respectfully request the court to allow me to
8 withdraw as attorney of record for debtors.

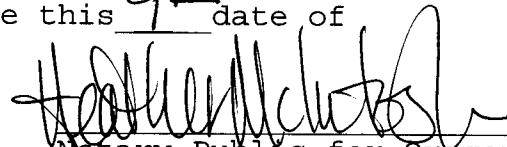
9 DATED this 9th day of February, 2011



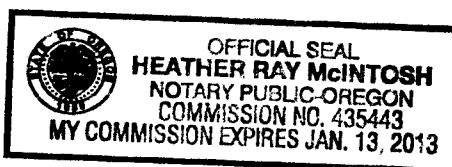
10 John Butler, OSB 01177

11 Withdrawing Attorney for Debtors

12 SUBSCRIBED AND SWORN TO be for me this 9th date of
13 February, 2011.



14 Notary Public for Oregon
15 My commission expires 1/13/13



1 CERTIFICATE OF MAILING
2

3 I certify that I served the foregoing MOTION TO WITHDRAW AS
4 ATTORNEY FOR DEBTORS AND AFFIDAVIT IN SUPPORT OF MOTION TO
5 WITHDRAW AS ATTORNEY FOR DEBTORS on each of the following by
6 depositing with:

7 X Served electronically via ECF
8 XX U.S. Post Office, Eugene, Oregon

9 an exact and complete copy thereof, enclosed in a sealed
10 envelope, addressed to the respective party or attorney for each
11 party, as shown below, at the party or attorney's regular
12 address:

13 X Office of the US Trustee, 405 E 8th Ave, Eugene, OR 97401

14 X Fred Long, Trustee, PO Box 467, Eugene, OR 97440

15 XX Joshua T Sutherlin
16 PO Box 894
17 Halfway, OR 97834

18 XX Sara R Sutherlin
19 504 E 2nd St
20 Cle Elum, WA 98922

21 DATED this 9th day of February, 2011

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24 John Butler, OSB 01177
25 Of Withdrawing Attorney for Debtors